





Environmental
Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Re: Sandusky County
Open Burning Complaint
Notice of Violation

January 12, 2012

CERTIFIED MAIL

Mr. Otis McBroom
Property Owner
317 Kinney Street
Bellevue, Ohio 44811

Dear Mr. McBroom:

This office received a complaint on January 9, 2012, concerning open burning and open dumping being conducted on property you own, located at 2386 County Road 308 (Sandusky County Parcel #012600006200). The open dumping issues will be addressed by Ohio EPA's Division of Materials and Waste Management; however, I will address the open burning issues on behalf of the Division of Air Pollution Control. My investigation, conducted on January 10, 2012, shows that the remnants of a demolished house trailer, including dimensional lumber, manufactured wood products, carpet, laminate flooring and various household items, along with brush was burned for disposal purposes. This occurred within 1000' of adjacent inhabited structures in a restricted area.

Based on these findings, there is sufficient evidence to determine that illegal open burning did occur and the complaint is justified. This is a violation of OAC rule 3745-19-03(A).

A copy of the OAC rules pertaining to open burning has been enclosed for your review. Please provide a written response acknowledging your receipt of this letter and your understanding of the rules. If you do not understand the rules please contact this office for additional explanation before responding. Your response is requested no later than January 27, 2012.

Please be advised that the submission of information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to Ohio Revised Code Section 3704.06. The Ohio EPA will make a decision whether to pursue such penalties regarding this matter at a later date.

Mr. Otis McBroom
January 12, 2012

If you have any questions concerning this letter or the regulations, please feel free to call me at (419) 373-3137 or e-mail at thomas.cikotte@epa.state.oh.us.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

Enclosure

pc: Sandusky County Health Department
Thomas C. Cikotte, DAPC – NWDO
Certified Mail Receipt Number 7009 1410 0001 1834 1576

ec: William MacDowell, U.S. EPA Region V
Tom Kalman, DAPC - CO
Tom Sattler, DAPC - NWDO
Thomas C. Cikotte, DAPC – NWDO
Sue Hardy, DMWM - NWDO